

Chadds Ford Township Board of Supervisors Meeting
September 1, 2004
MINUTES

OFFICIALS PRESENT: George M. Thorpe, Chairman
Deborah Love D'Elia, Vice Chairman
Garry Paul, Member
Hugh A. Donaghue, Township Solicitor
Kevin Matson, EIT, for James C. Kelly, Township
Engineer
Richard J. Jensen, Building Inspector, CEO
Maryann D. Furlong, Secretary/Treasurer

CALL TO ORDER

Mr. Thorpe called the meeting to order at 7:36 PM. The Pledge of Allegiance was recited and Mr. Thorpe identified the emergency exits for those present.

PUBLIC COMMENT – CHADDS FORD RESIDENTS

Paul Lindsen, member of the Chadds Ford Sewer Authority, asked for clarification regarding long term sewage plans for the Township and costs to the users. Although Mr. Lindsen generally supported recent actions by the Board regarding construction of a new plant, he questioned whether everything possible was being done to lower costs for residents. Mr. Thorpe responded that the Board is doing absolutely everything possible to provide the lowest cost for the services provided and will continue to work towards that end.

Harvey Kliman announced that a reenactment of the Battle of the Brandywine will take place the last Sunday of the month, September 26th, at the Brandywine Battlefield.

Mr. Kliman also reported on the results of a recent lyme disease survey in Pocopson Township which showed the numbers of those having contracted the disease alarmingly high. New techniques to kill ticks on both deer and mice were discussed, specifically the four poster deer feeder, along with programs for installation and maintenance. Mr. Kliman suggested that the Board investigate the possibility of instituting such a program in Chadds Ford. Mr. Paul responded that the Supervisors had just discussed such a proposal with both State Senator Pileggi and State Representative Barrar and will keep residents apprised of future plans. Monthly meetings of the Lyme Support Group are held the third Wednesday of the month. Information may also be found at www.lymepa.org. Mr. Reiter suggested Board members encourage the Pennsylvania State Game Commission to extend the bow hunting season to decrease the deer population.

Fred Reiter announced that Chadds Ford Days will be held on Saturday, September 11th and Sunday, September 12th on the grounds of the Chadds Ford Historical Society. All are welcomed to attend.

Martha Frost of 9 Ridings Way asked if anything was on the agenda regarding the possible development of ground adjacent to her community by the Capano Group. At last month's meeting, Board members had asked Ross Unruh, Esquire, attorney for the Capano Group, to meet with concerned neighbors before seeking zoning changes. Mr. Unruh had not been able to organize such a meeting, but several residents in the audience volunteered to assist in the effort. Mr. Thorpe encouraged residents to attend Planning

Commission meetings when and if a formal application is filed.

Debbie Reardon asked if there was any news from PennDOT on the intersection of Ridge and Heyburn Roads. George Thorpe replied that there had been none.

STATE POLICE REPORT

Corporal Bailey of the Media Barracks, Pennsylvania State Police, presented an incident report for the month of August. The Corporal reported that an employee of Concordville Nissan had been killed on Smithbridge Road while test driving a car and that there were no suspects in a burglary that had occurred at an antique shop in the village. A resident asked if anything further has been determined in the Warner deaths. Corporal Bailey responded that the matter had been referred to the Delaware County Grand Jury.

Mr. Thorpe thanked the Corporal for his report.

APPROVAL OF MINUTES – August 4, 2004

Minutes of the August 4, 2004 meeting had been circulated for review and revisions had been made.

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MOTION TO APPROVE BOARD OF SUPERVISOR MINUTES OF August 4, 2004

Upon motion and second (D'Elia, Paul), the Supervisors approved the minutes of August 4, 2004, draft of 8/30/04.

REPORTS

SUPERVISORS' REPORT

Two or more Supervisors had been together at the following meetings:

- all three Supervisors had been present on August 12th for the dedication of Archie's Corner;
- on August 19th, all three Supervisors had met with a representative of a bond fund for presentation regarding possible financing of the Turner's Mill project;
- On August 23rd the three Supervisors had met with officials from a local bank for another presentation on possible financial funding for Turner's Mill;
- On September 1st, Mr. Thorpe, Mrs. Love D'Elia and Mr. Paul had met with Alma Forsthye, representing the Pennsylvania Scenic Byways committee;
- On September 1st, Garry Paul and George Thorpe had met with John Milner and representatives from Kelly Engineers regarding the Turner's Mill

project.

Mr. Paul announced that the Chadds Ford Civic Association has been working on "Welcome to Chadds Ford" signs. Resident Joseph Pileggi reviewed the specifics of the proposal. The Supervisors will seek authorization from PennDOT for the installation of the signs and the matter will also be presented to HARB for approval. Mr. Reiter suggested that consideration be given to the line of sight in determining the location of the signs and Mr. Prabel suggested using theft resistant bolts. Mr. Paul thanked the Civic Association for their efforts on behalf of the Township.

Ms. Love D'Elia presented specific information dealing with the Supervisors' meeting with Alma Forsthye. The PA Scenic Byways Committee is seeking to have Creek Road officially designated a scenic byway from the Delaware border north to Birmingham Township. Mrs. Love D'Elia has asked both Planning Commission and Open Space members to review the proposal. Chadds Ford will also seek support of the Delaware County Visitors Bureau, Delaware County Council and State Senator Dominic Pileggi, with hopes of passing a resolution in support of the program in November.

Resident Susan Daryl asked if anything in the program addressed bike paths. Mr. Thorpe replied that there was not.

TREASURER'S REPORT

Mrs. Furlong reported the following figures as of August 31, 2004:

Total all deposits to General Fund:	\$ 48,481.39
Total disbursements General Fund:	\$ 60,651.67
Total disbursements Escrow Account	\$ 183,725.34
Cash Account Balance	\$ 785,976.91

MOTION TO APPROVE TREASURER'S REPORT

Upon motion and second (D'Elia, Paul), the Supervisors unanimously voted to approve the Treasurer's Report for August, 2004, and authorized payment of bills in the amount of \$60,651.67, as listed in the Journal Report.

ROADMASTER'S REPORT

Mr. Thorpe reported that a conscientious resident had cut up a tree that had fallen in his yard on Heyburn Road. Joe Barakat has actively assumed the role of Roadmaster. Mr. Reiter asked that he be included in addressing a problem at the bottom of Atwater Road where a school bus stops. Mr. Reiter suggested that the area be widened to allow for a shoulder for safe parking. Mr. Thorpe agreed.

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PLANNING COMMISSION

Mr. Taylor presented the Planning Commission report for the meeting of Wednesday, August 11, 2004. A full copy of the report is attached.

ZONING HEARING BOARD

Mr. Wandersee was present to report that the only scheduled hearing for the Zoning Hearing Board during August, an application by Omnipoint Communications, had been generally continued at the request of the applicant. A hearing has been scheduled for September 29th on the application of Chadds Ford Township for Turner's Mill. The Township Secretary will place a legal advertisement changing the date of the Planning Commission Workshop.

Mr. Donaghue presented a suggested revision of ordinance 12.94(b)(2) which had the effect of changing the notification period, and would also place the burden of notification to abutting land owners on applicant. Board members discussed the pros and cons of the applicant sending the hearing notification. A decision was made to reduce the notification period from thirty (30) days to fourteen (14) days for abutting land owners.

HARB

Mr. Jensen stated that no applications had been heard during the prior month.

SEWER AUTHORITY

Mr. Murray presented the Sewer Authority report for the month of August, 2004, a copy of which follows.

Mrs. Reardon commented that it would be interesting to perform stream checks on the waters from the new sewage treatment plant to be built at Turner's Mill if someone could be found to shepherd the project.

BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER

Mr. Jensen presented his report for the month of August. A written report and accompanying fee checks had been submitted to the Board for review.

Mr. Thorpe asked if there had been any code violations. Mr. Jensen reported that there had been and a dispute between neighbors was ongoing between Volpe Tile and adjoining resident regarding trees.

TOWNSHIP ENGINEER

Kevin Matson, EIT, was in attendance to present the Engineer's Report, a copy of which follows.

The Supervisors authorized Richard Jensen to distribute a Stormwater Fact Sheet with all building permit applications.

MOTION TO APPROVE FIRST SECURITY IMPROVEMENT ESCROW RELEASE – ENZO'S SOUTH/KEYSTONE PLAZA

Upon motion and second (D'Elia, Paul) the Board of Supervisors approved the first improvement security escrow release of \$97,500.00 for the Keystone Plaza project on

Route 202.

In response to a question from Mrs. Love D'Elia, Mr. Matson stated Kelly Engineers had submitted an application to PennDOT to have both Brandywine Drive and Holly Tree Lane added to the Liquid Fuel allotment for the Township.

OPEN SPACE COMMITTEE

Debbie Reardon reported on the progress Committee members had made and informed the Supervisors that they can expect land trust review information by the end of month. Mrs. Reardon thanked both the Supervisors and her Committee members for their efforts to date.

Mrs. Love D'Elia reported that Board members had asked Mrs. Reardon to make recommendations to fill the vacancy on the Open Space Committee. After due consideration, it was agreed to appoint Kathy Wandersee.

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MOTION TO FILL OPEN SPACE COMMITTEE VACANCY

Upon motion and second (D'Elia, Thorpe), the Board of Supervisors voted unanimously to appoint Kathy Wandersee as a member of the Open Space Committee to fill the vacancy of Joan Mirshak, with a term to run through December 31, 2004.

TOWNSHIP PROPERTIES COMMITTEE

Mr. Thorpe reported that the Supervisors and members of the Township Properties Committee were in the process of meeting with the representatives of various financial institutions in order to determine the best method of financing Turner's Mill project. The Chairman expected the process to be completed within the next two weeks.

Mr. Thorpe recounted the wonderful sign dedication ceremony that had been held on August 12th at Archie's Corner. Some twenty people had been in attendance and light refreshments had been served. Mr. Thorpe thanked Mr. Jensen for his efforts in the construction of the sign.

FINANCIAL ADVISORY BOARD

Mrs. Love D'Elia reported that a meeting had not been held during the prior month. The Township Auditor had issued a management letter that had been received and reviewed by the Supervisors. MervesAmonandBarsz had suggested the creation of a procedural manual for the Township and further delineation of Sewer Authority funds.

Mrs. Love D'Elia further stated that representatives of Kelly Engineers are working on establishing a list of specific responsibilities for the Township Engineer and the Sewer

Authority Engineer as pertains to the Toll Brothers Camp Sunset Hill project.

RACHEL KOHL COMMUNITY LIBRARY

Sandy Paul, Township representative to the Rachel Kohl Community Library, presented statistical information for the Library during the month of August and also said that the recent Family Fun Day had been very well received and had been a wonderful community event.

OLD BUSINESS

There was no old business for discussion.

NEW BUSINESS

ROBERT SUTTON – 483 WEBB ROAD ZONING RELIEF PRESENTATION

Mr. and Mrs. Robert Sutton of 483 Webb Road, presented plans for the proposed construction of a tennis court that would necessitate an application for relief from Township zoning ordinances regarding rear yard and front yard set backs. Mr. Sutton's informal presentation was being made to determine whether or not Board members would oppose the requested zoning relief if a formal application were to be filed. The Supervisors discussed various issues with Mr. Sutton including lighting, neighbors and existing trees.

Several neighbors were in attendance. Mr. Dennis DeCola of 485 Webb Road had three major concerns:

1. lighting;
2. additional runoff from the increase in impervious area and the possible negative effect on the existing stormwater system, and
3. heavy equipment possibly damaging the existing driveway or swale and the posting of an escrow to protect same.

Mrs. Kathleen Goodier, also a neighbor, did not have any additional comments to make.

Mr. Sutton discussed the lighting aspect of his plan and stated that he would not ask for a variance regarding lighting.

All Supervisors agreed that the lighting issue severely complicated the matter, with each expressing concern over that issue and the need to protect the well being of residents in general. The Board would be opposed to an application, however, since there is no legal basis to do so, it was determined that the Zoning Hearing Board should decide how to handle the situation if and when the need arises.

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ESCROW RELEASES

The Township Secretary had prepared checks for the release of escrow funds after

a review of outstanding bills, interest calculations where appropriate and discussion with the Township Building Inspector. Mr. Thorpe read the following information into the record:

Applicant	Type of Escrow	Amount to be
Released		
DiMichele	Additional ZHB Escrow	\$ 350.00
Dambro	Grading Escrow	\$ 822.91
Anthony & Sylvan Pools/Pizarro	Grading Escrow	\$ 825.31
Swift Pools/Duncan	Grading Escrow	\$ 822.91
Anthony & Sylvan Pools/Kremer	Grading Escrow	\$ 820.45
Volpe Tile	ZHB Appeal	\$ 621.20
Peter & Sons	ZHB Application	\$ 824.31
Osborne Place	Subdivision Application	\$ 1,200.00
Children's Hospital	Developer's Agreement	\$ 5,000.00
Children's Hospital	Improvement Security	\$ 71,438.25
Children's Hospital	Land Development Application	\$ 3,500.00

MOTION TO APPROVE ESCROW RELEASES

Upon motion and second (Paul, D'Elia), the Board of Supervisors approved the release of escrows as read into the record by Mr. Thorpe.

SUICIDE AWARENESS WEEK

Mrs. Love D'Elia had asked the Township Solicitor to prepare a resolution seeking to recognize the nationwide problem of suicide and supporting the reduction of the risk for human self-destruction through public awareness, education and treatment.

MOTION TO APPROVE RESOLUTION 2004-18 – SUICIDE AWARENESS WEEK

Upon motion and second (D'Elia, Paul) the Board of Supervisors approved Resolution 2004-18, declaring September 6 – 10, 2004 as Suicide Awareness Week in Chadds Ford Township.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:35 PM.

Respectfully submitted,

MARYANN D. FURLONG,
Township Secretary